

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**JAN BYRNE,
Plaintiff,**

v.

**ALABAMA ALCOHOLIC BEVERAGE
CONTROL BOARD, and
EMORY FOLMAR, in his individual
and official capacities,
Defendants.**

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Civil Case No. 2:06-CV-1084-WKW

PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME

COMES NOW Plaintiff by and through his attorneys of record and would show the Court the following:

1. On April 17, 2008, Defendants filed a Motion to Dismiss with this Court.
2. On April 18, 2008, this Court set May 8, 2007 as the deadline for responding to Defendants' Motion to Dismiss.
3. On April 29, 2008, Plaintiff's counsel's wife gave birth, and Plaintiff's counsel has been unable to spend time this week working on Plaintiff's Response. Thus, Plaintiff's counsel needs additional time to respond to the motion filed by Defendants.
4. Defendants do not oppose this motion.

WHEREFORE, THE PREMISES CONSIDERED, Plaintiff prays that this Court will grant this motion and will grant Plaintiff until May 15, 2008, to respond to Defendants' Motion to Dismiss.

RESPECTFULLY SUBMITTED this the 2nd day of May, 2008.

/s/ Fred Clements

FRED CLEMENTS

ASB-5682-R39C

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CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following parties or counsel, or by hand delivery, or by facsimile, or by placing a copy of the same in the United States mail, properly addressed and first-class postage prepaid on this 2nd day of May, 2008.

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